

E-Filed on 5/24/07

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

INVESTCORP RETIREMENT  
SPECIALISTS, INC.,

Plaintiff,

v.

MOTOHISA OHNO, et al.

Defendants.

No. C-07-01304 RMW

ORDER CALENDARING MOTION TO  
DISMISS


[Re Docket No. 6]

Plaintiff Investcorp Retirement Specialists, Inc., filed a complaint against Motohisa Ohno for cybersquatting, trademark infringement, unfair competition and false advertising on March 6, 2007. On April 18, 2007, Ohno, proceeding *pro se*, filed a document titled "Respond to the Case" (hereinafter "Response"). The Response is in the form of an answer but challenges this court's personal jurisdiction over the plaintiff. *See* Response ¶ 1 ("THIS IS VERY IMPORTANT: Any court in California is NOT appropriate venue to me because I, the defendant, am a Japanese resident and I have no business partner in California. . . . Plaintiff should choose a jurisdiction and venue in Japan. So, the case should be refused RIGHT NOW.") (emphasis in original). Because the defendant appears to reside in Japan and is unrepresented by counsel, the court shall treat defendant's Response as a motion to dismiss for lack of jurisdiction at this time.

**ORDER**

1. Defendant's Response shall be treated as a motion to dismiss for lack of jurisdiction. Plaintiff may oppose defendant's Response as necessary to address defendant's challenge to this court's jurisdiction and the propriety of plaintiff's chosen venue. Plaintiff's opposition shall be filed and served on defendant no later than June 8, 2007.
2. Defendant may file a reply to plaintiff's opposition. Defendant's reply shall be filed and served no later than June 29, 2007.
3. Unless the parties stipulate that no hearing is necessary, defendant's motion to dismiss shall be heard before this court in Courtroom 6 at 280 S. First Street, San Jose, California on Friday, July 13, 2007 at 9:00 a.m.

DATED: 5/21/07

  
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RONALD M. WHYTE  
United States District Judge

1 A copy of this order was mailed on 5/24/07 to:

2 **Counsel for Plaintiff:**

3 Karl Stephen Kronenberger  
4 Henry M. Burgoyne, III  
5 Kronenberger Burgoyne, LLP  
6 150 Post Street  
7 Suite 520  
8 San Francisco, CA 94108-4707

6 **Defendant (pro se):**

7 Motohisa Ohno  
8 3-23-30 Higashi-Toyoda  
9 Hino Tokyo 191-0052  
10 Japan

9 Counsel is responsible for distributing copies of this order to co-counsel, as necessary.  
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